

STROUDSBURG BOROUGH COUNCIL
Meeting Minutes – November 15, 2022

A regular meeting of the Stroudsburg Borough Council convened at 7:00 P.M. on Tuesday, November 15, 2022 in the Council Chambers of the Stroudsburg Borough Municipal Building with the following members present: Council President Matt Abell, Vice-President of Council Erica McCabe, Council President Pro-Tem Jim Evanisko, Council member Victoria DeVries, Council member Tobias Sabatine, and Council member Joanne Kochanski. Council member James Smith was not present.

Also present were: Borough Manager Larry Kopp; Borough Solicitor Joseph P. McDonald, Jr., Esq.; Borough Solicitor Christopher Brown, Esq.; Executive Assistant Mary Pat Quinn; Stroud Area Regional Police Department Captain Scott Raymond; Street Superintendent Brian Ace, Jr.; and Zoning/Codes Officer and Land Development Administrator Jennifer Walker. Mayor Tarah Probst advised of her absence prior to the meeting.

The Pledge of Allegiance was recited.

Public Hearing and Consideration to Adopt an Ordinance of the Borough Council of the Borough of Stroudsburg in the County of Monroe, Commonwealth of Pennsylvania to Amend Chapter 22 of the Borough Code Concerning Subdivision and Land Development to Permit Joinder of Adjoining Parcels of Land Without a Formal Land Development Plan. **Recommendations were suggested by the Monroe County Planning Commission in a letter dated October 26, 2022.**

There were no comments or questions from the public. The public hearing was closed on a motion made by Ms. McCabe, seconded by Mrs. Kochanski. The motion was carried. (6-yes; 0-no; 0-abstain)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to table consideration of the Ordinance until the Codes Committee incorporates the recommendations of the Monroe County Planning Commission in to a revised Ordinance. The revised Ordinance will be forwarded to the Stroudsburg Borough Planning Commission and the Monroe County Planning Commission for review and recommendation. The motion was carried. (6-yes; 0-no; 0-abstain)

Approval of Council Meeting Minutes for the regular meeting on November 1, 2022

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to approve the minutes of the November 1, 2022 meeting as circulated. Solicitor McDonald noted that Kris Anzini, a resident of the Borough, and also the Magisterial District Judge did express her opinion regarding the Solid Waste Ordinance, and stated that she was fundamentally opposed to the Ordinance. This would be important to note in the minutes as she may be a potential fact finder in any future enforcement actions of the Ordinance. He recommended that Council direct Ms. Quinn to listen to that portion of the recording and amend the minutes accordingly. Mr. Sabatine added that logarithms was misspelled. Mr. Sabatine and Ms. McCabe inserted the recommendation and the correction in to the motion to approve the minutes. The motion was carried. (6-yes; 0-no; 0-abstain)

Note: A review of the audio recording revealed that she stated that she had a “philosophical problem with what the Borough is doing/philosophical difference with Council”. The minutes were amended as follows: “*Kris Anzini, a resident of the Borough, asked the Council to table signing the agreement until all of the facts about the collection are known. She stated that she has a philosophical problem with what the Borough is doing. She continued to state that she is capable of picking a company for trash removal at her home, and that she has a philosophical difference with Council. She also asked that Council repeal the ordinance*”.

Monthly Administrative Reports

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the following monthly reports: Parking Report, Fire Department Report, Right-to-Know Report, and Police Department Report (SARPD report provided via email). The motion was carried. (6-yes; 0-no; 0-abstain)

Accept Unaudited October, 2022 Treasurer’s Report

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to accept the October 2022 Bank Account Balances Report and also the October 2022 Budget-to-Actual Report. The motion was carried. (6-yes; 0-no; 0-abstain)

OLD BUSINESS

There was no old business to consider.

NEW BUSINESS

Consideration to Approve Payment Request #4 from The Vanic Company (payment to be made to SureTec Information Systems) in the amount of \$47,663.28 for the Sidewalk Replacement Project.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve Payment Request #4 in the amount of \$47,663.28 to The Vanic Company for the Sidewalk Replacement Project. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to discuss the implementation of the Borough’s Dumpster Ordinance

Mr. Kopp advised that one dumpster screening has been completed, and there are permits for two more screens to be constructed. There are sixteen (16) requests for extensions or exemptions from the Ordinance. Mr. Kopp asked how Council would like to proceed with the remaining 110 property owners who have not responded. Mr. Kochanski suggested that those property owners be given a warning. Council authorized Mr. Kopp to handle the appeals.

A discussion ensued about the inconsistency in the Ordinance regarding alleys and rights of way. Solicitor Brown noted that the definitions of an alley and a right-of-way are appropriate. Mr. Abell will discuss the matter with the Codes Committee.

Mr. Abell will ask the Codes Committee to work on clarifying the dumpster screening requirements.

Consideration to discuss the requirement of public officials/ public employees to file an annual Statement of Financial Interests with the Borough Manager.

Mr. Abell advised that a Statement of Financial Interests has not been filed with the Borough Manager by a Council member. §1104 of the State Ethics Act, “Statement of Financial Interests Required to be Filed” states, “Failure to file required statement. No public official shall be allowed to take the oath of office or enter or continue upon his duties, nor shall he receive compensation from public funds, unless he has filed a statement of financial interests as required by this chapter.”

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to withhold the payment of wages for any elected official and/or employee who does not file a Statement of Financial Interests by May 1, 2023. The said elected official and/or employee will not be permitted to continue his/her duties as well. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to Appoint Joanne Kochanski as a member of the Stroud Area Regional Police Commission for a three-year term (2023 to 2025).

Ms. McCabe advised that another Council member has expressed interest in serving as a member of the SARP Commission. It was also noted that Mayor Probst would be resigning as a Commission member. A discussion ensued about Mrs. Kochanski possibly being appointed to fill Mayor Probst’s unexpired term on the Commission. Mrs. Kochanski advised that the intermunicipal agreement authorizes citizens at large to be appointed as members. Ms. McCabe asked for a copy of the agreement, which Solicitor Brown forwarded to her at the meeting.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to table consideration of this appointment until the next meeting. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider to approve the application of Anthony Jakubowski, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the extension of the front porch at 603 Thomas Street.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to authorize the issuance of a Certificate of Appropriateness for the aforementioned project. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider to approve the application of Monroe County, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for a 110’x6’ shadow box fence at the rear of the property at 701 Main Street.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to authorize the issuance of a Certificate of Appropriateness for the aforementioned project. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider to approve the application of 728 Main Street LLC, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the change of already approved balcony doors on the second floor at 728 Main Street.

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to authorize the issuance of a Certificate of Appropriateness for the aforementioned project. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider to approve the application of Joel Marte, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the change of already approved shingles at 712-714 Scott Street.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to authorize the issuance of a Certificate of Appropriateness for the aforementioned project. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to discuss the Solid Waste Collection and Disposal ordinance in regard to composting by residents.

Stacy Bardonex, a resident of 218 North 8th Street, advised Council that she does not have trash collection at her home. She composts at her father's property, which is not in the Borough of Stroudsburg. She asked that Council make an accommodation for that as she does not need the trash collection service at her home.

Mr. Abell will bring the matter up at the next Codes Committee meeting, which will be on the 4th Wednesday of this month. He will follow up with Council at the December 6 meeting.

Committee Reports

Codes Committee – Mr. Abell advised that the Committee will be discussing composting, the proposed joinder ordinance, problem properties, and the clarification of the definitions in the dumpster ordinance for alleys and rights of ways.

Budget Committee – Mr. Kopp advised Council that the tax valuation information was received from the Monroe County Assessment Office. The Borough lost \$6,482,110.00 in assessed valuation between November 2021 and November 2022 due to assessment appeals. There are also 112 tax exempt properties in the Borough. He will present the proposed 2023 Budget to Council at the December 6 meeting.

Parking Committee – Ms. McCabe advised that the Committee meets on the 4th Tuesday of each month.

Recycling Committee – Mr. Kopp advised that a meeting of the Twin Boroughs Recycling Committee is scheduled the following week.

Sewer Committee – Mr. Kopp will be meeting with BCRA next week. He will be looking at the current rates and whether or not there should be an increase in 2023.

Street Committee – Mayor Probst is the chairperson of this Committee, but she will be resigning her position and moving forward as a State Representative. Mr. Abell asked if any Council members are interested in chairing the Committee.

Personnel Committee – Mr. Abell advised that the proposed Code of Conduct was sent out to the Committee. Megan Williamson asked about the reference to the power of the mayor in the draft code. Mr. Abell took an excerpt from a policy that is used in a city form of government. The Committee will be looking at that during the next meeting.

Public Relations/Media Committee – Mayor Probst is the chairperson of this Committee, but she will be resigning her position and moving forward as a State Representative. Mr. Sabatine advised that Mayor Probst asked him to chair the Committee moving forward. He reported that they are looking in to the Old Dansbury Cemetery as a site for a historic tour. The work at the Ann Street Park is continuing and ongoing. The December 20 meeting of the Committee is cancelled.

I-80 Expansion Task Force Committee – There is nothing new to report.

Stroud Region Open Space and Recreation Commission – Ms. McCabe advised that the Commission meets on the 4th Tuesday of each month. Mr. Sabatine added that the first meeting to discuss a dog park was held on November 14. A discussion about a dog park will continue at a meeting on December 5 at 5:00 P.M.

Mayor's Report

Mayor Probst will be submitting her letter of resignation. Mr. Abell asked that Council members consider candidates for her replacement. The matter will be discussed at the December 6 meeting.

Council Member Reports

Ms. McCabe suggested that Council establish a better policy for public participation and to consider time limits for public comments. The matter was taken under advisement.

Mrs. Kochanski reported that she attended a HARB meeting in the City of Easton, and they spoke about a training that they attended which they considered to be very beneficial. Mr. Kopp will look in to that.

Mrs. Kochanski also mentioned that the handicapped parking space in Lot 6, which is adjacent to 401 Main Street, should be removed as there is no longer a need for it.

Solicitor's Reports

Solicitor McDonald reported that he, Solicitor Brown, Borough Engineer Nate Oiler, and the staff met with Alpha Recycling on November 3, and discussed the following task list items: the Water Quality Management Permit, and the Highway Occupancy Permit (H.O.P) Application, and a cost estimate to be prepared by Mr. Oiler that covers the sewer work. RKR Hess will review the HOP. Attorney Kate Durso, the solicitor representing Alpha Recycling, will prepare the Sewer Agreement which will be reviewed by Solicitors McDonald and Brown. These items are required prior to the execution of a Developer's Agreement and Performance Bond. The applicant has asked for permission to erect a garage-type structure with 4 to 6 bays on the property. This would require land development approval as it would not be considered an "accessory structure" at this time. Solicitor Brown mentioned that he was aware that a few of the Council members are in favor of the addition of the structure.

Solicitor McDonald also reported that there has been no feedback from Adams Outdoor Advertising regarding the proposed digital message board. There is no approval nor is there a permit to allow the company to put up the sign.

Manager's Report

Meetings

Pocono Public Policy Mtg	November 4 th
Charlie/Fire Department Budget	November 10 th
Sarah/ESSA Bank	November 16 th
Steve Cappelli/Insurance	November 17 th
Dave Horton/BCRA/Sewer Billing	November 18 th
Recycling Committee Meeting	November 21 st
Pocono Public Policy Mtg	December 2 nd

Infrastructure/Streets/Capital Projects

Sidewalk Replacement Project/Multimodal Grant. Underway. Working on portions in the downtown.

Ann Street Sewer Replacement & Paving. New budget received. Significant increase in project cost, now up to \$1.08 Million. Coordinating with Stroud Township for their portion of funding.

Grants Strategy 2022

LSA Grant. LSA Grant submitted on March 15th. Discussed with Chuck Leonard, Pocono Mountains Economic Development Corporation. May be able to fund with grant funds on hand if DCED doesn't fund.

DCED Greenway, Trails and Recreation Program Grant. Submitted May 31st.

DCED Multimodal. Grant complete and submitted. Contains “Quick Build” elements of Main Street Project.

Monroe County LSA Grant. Submitted on September 28th. For “Quick Build” elements of the plan.

H2O & Small Water and Sewer Grants. Funding opened up for sewer projects through CFA-DCED. Programs have not been funded for several years. Will apply for both. Grants due December 21st.

Verkada Security Cameras

Installation underway. Approximately 60% complete. Installers coming Thursday and Friday to complete installation in the parking garage.

Mobility Study/Alta Planning

Met with Alta Planning & Penn Strategies in regard to RAISE Grant. Timeline has been greatly truncated, due to new grant round scheduled to be announced in November. DOT Grants are very political, strategized how to get support from politicians while working on studies. Working on scheduling a meeting with PennDOT to discuss.

Solid Waste Ordinance

Deadline for selecting cart size last Friday. Working to compile final list of carts and cart sizes for GFL.

Dumpster Ordinance Implementation

Letter sent to the owners of all properties in the Borough identified to have dumpsters on their property. Currently, one dumpster has been completed and there are permits for two more to be constructed. We have 16 requests for extensions or exemptions from the Ordinance. The vast majority of dumpsters in the Borough, a total of 110, have not requested an exemption or secured permits to do the work to comply. I was planning on sending another letter for compliance this month. How do we proceed from here?

Sewer Billing

BCRA has been doing billing for the Borough’s Sewer Service under an agreement from 2003. Received a cost estimate from BCRA; \$21,168 estimated annual billing costs. This is up from \$7,752 in 2021 and \$5,047 to date in 2022. I am looking at outsourcing trash billing, I am looking at whether it makes sense to do so for sewer billing as well.

Sewer Rates/EDU Reassessment

Inspection of properties complete. Sending out follow-up notices to letters without response and additional letters.

Sewer Collection System/I&I Initiative

BCRA has updated I&I Plan and we are waiting for a meeting with other member municipalities to review. Acquired GIS capabilities to accurately, and quickly, map sewer collection system. Smoke testing ongoing.

LERTA

Met with Cos Curry from the School District to discuss LERTA. School Board is tentatively “on-board,” need to draft a new “draft” Ordinance in conjunction with the District and County Commissioners to ensure everyone agrees.

Code Enforcement

Rental Properties: Sent letters to all property owners to remind them of requirements to register properties. We have been losing considerable income and have not developed a good list of all rental properties in the Borough. Have had an excellent response to the mailing so far, \$21,420. Last year to this point, \$4,315. I noticed that many property owners did not properly pay fees; it is supposed to \$20/Unit, not \$20/Property, which is what many paid.

Short-Term Rentals: Compiling list of properties for notification.

Staff Training

Working on a training presentation on Customer Service.

MyGov Software for Codes/Zoning

Going fully “live” with MyGov in November on select permits and licenses. Customers will be required, unless they have a compelling reason, to submit all permit and license online through the Customer Service Portal.

Five Points Intersection North 5th Street

Cost estimate for project around \$1.2 Million. Ben is going forward to PennDOT to begin the approval process. Looking at PennDOT Multimodal Grant to potentially fund the work in 2023 or 2024.

Emergency Operations Plan

I'm working with Mehmet to update our contacts and to look specifically at EMP and Cyber Attacks. Current world situation has me concerned and I want us to be ready. Plan was due to be updated in 2021.

Capital Improvements Plan

Working, as part of the budget, to put together a 10-year Capital Improvements Plan for the Borough listing all major capital projects and purchases through 2031.

Sewer Fund Delinquent Accounts/Liens

Mary Pat is looking at our list of liens and see what liens need to be renewed and if any need to be taken of the lit. BCRA wants to review billing procedures, as do I. I have talked to three collection agencies with the idea of letting them go after delinquent accounts, which is allowed in our Sewer Ordinance.

Bicycle Racks

Three racks remain to be installed: 745 Main, 401 Main & 33 North 7th Streets. North 7th Street was approved with a slightly changed location. Waiting to hear back from the remaining two property owners. One property owner (1172 Main Street) declined to have the rack on their property. Installation in Spring 2023.

Upcoming Focus

Solid Waste Ordinance Implementation
Sewer EDU Assessment Plan
(Dumpster/Recycling/Rental Prop)
Main Street Grants

2023 Budget
Code Enforcement
Day to Day Activities

Code Enforcement Officer's Report

Ms. Walker advised that her department processed six building permits so far this month, and there are three new HARB applications for their December 5 meeting. She and John Stevens will start addressing violations of the Vacant and Abandoned Ordinance.

Street Superintendent Report

Mr. Ace reported that the paving is complete. Bank Alley, a portion of Ann Street, Sunset Lane, Woodcliff Avenue, and Robeson Street were paved for a total of \$60,000.00.

A discussion ensued about the portable ice rink, which will be put at the Helen Amhurst Third Street Park.

The Christmas Tree Lighting will be Friday, November 25. He and his department have been putting up wreaths and lights in preparation for the holiday season.

Approval of Bills on Warrants 221115

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to authorize the payment of bills on Warrants 221115. The motion was carried. (6-yes; 0-no; 0-abstain)

Public Input for Non-Agenda Items

Pete Andrews asked if the SARPD report is available to the public. He was directed to the SARPD website. He expressed concern that the Council may be considering the decriminalization of marijuana. Mr. Abell advised that the Borough would not take that on by itself; other municipalities would need to meet to discuss the matter.

Michelle Prevoznik asked about the status of the dilapidated barn located behind the Municipal Building. Ms. Walker reported that there is no HARB application at this time, but Wayne Vanderhoof, L.P.A. has been retained by the property owner to determine if the building is structurally sound.

Megan Williamson asked for the HARB Survey to be put on the Borough's Facebook page.

Mrs. Prevoznik mentioned "Savy Citizen" as a means to disseminate information to the public. The program is being used by East Stroudsburg Borough.

Executive Session, re: Personnel

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to go in to an executive session at 7:54 P.M. for the purpose of discussing personnel matters. The motion was carried. (6-yes; 0-no; 0-abstain)

The executive session concluded at 8:19 P.M. on a motion made by Mrs. Kochanski, seconded by Ms. DeVries. The motion was carried. (6-yes; 0-no; 0-abstain)

The meeting was adjourned at 8:20 P.M. on a motion made by Mr. Sabatine, seconded by Ms. McCabe. The motion was carried. (6-yes; 0-no; 0-abstain)